

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1-5 and 7 are allowed.
2. The following is an examiner's statement of reasons for allowance: None of the cited prior art teaches a ball point pen having, in conjunction with other limitations, a writing tip at a top end of which a writing ball is rotatably supported; an ink storage tube; a joint member for connecting the writing tip and the ink storage tube; a cover member is fitted and mounted along a perimeter surface of the joint member, the cover member is arranged in dimensions so as not to approach within 0.2 mm of the writing tip when an end of the cover member is positioned to be in contact with the perimeter surface of the joint member and an axis of the cover member and an axis of the joint member are aligned. The distance of 0.2 mm between the writing tip and cover member as claimed by the applicant was determined to be a significant dimension essential for the application's invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEEGAN GUMBS whose telephone number is (571) 270-5608. The examiner can normally be reached on Monday through Friday 8:30am to 5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Huson can be reached on (571) 272-4887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KRG  
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/David J. Walczak/  
Primary Examiner, Art Unit 3751